

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Howard Thompson, III, #200503217,	)	
	)	C/A No. 3:06-1407-MBS
Plaintiff,	)	
	)	
vs.	)	
	)	<b>OPINION AND ORDER</b>
Joey Preston, Administrator of Anderson	)	
County; Robert Daly, Director of Anderson	)	
County Detention Center; Arlette Jones,	)	
Captain at Anderson County Detention	)	
Center; and NFN Roundtree, Nurse at	)	
Anderson County Detention Center,	)	
	)	
Defendants.	)	
	)	

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Plaintiff Howard Thompson, III, is a pretrial detainee at the Anderson County Detention Center. Plaintiff, proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983, alleging that Defendants violated his constitutional rights by denying him proper medical care with respect to a spider bite.

This matter is before the court on motion for summary judgment filed by Defendants on August 7, 2006. On August 14, 2006, an order was issued pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the summary judgment procedure and the possible consequences if he failed to respond adequately. Plaintiff filed a response to the motion on September 22, 2006.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Joseph R. McCrorey for pretrial handling. On December 1, 2006, the Magistrate Judge issued a Report and Recommendation in which he recommended that

Defendants' motion for summary judgment be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts and Report and Recommendation and incorporates it herein by reference. Accordingly, Defendants' motion for summary judgment (Entry 16) is granted and the case dismissed.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina

January 30, 2007

**NOTICE OF RIGHT TO APPEAL**

**Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.**